

Miami-Dade Housing Agency

Section 8 Administrative Plan

ATTACHMENT A

DEFINITIONS

Adult

A person who is eighteen (18) years of age or older, or who has been convicted of a crime as an adult under any Federal, State or tribal law.

Black

African-Americans and all other individuals who are black irrespective of their national origin.

Child/Minor

Means a member of the family, other than the family head or spouse, who is under eighteen (18) years of age.

Class Members

All past, present and future black residents of Miami-Dade County's Public Housing program including Section 8 New Construction for the duration of the Adker Consent Decree.

Criminal Records

All criminal arrest records, including but not limited to, sex offender records and registration records, and any court dispositions, including but not limited to, *nolo contendere*, *nolle prosequi*, withholds of adjudication and adjudications of guilt. The term "criminal records" does not include records unavailable to MDHA by operation of law, including sealed or expunged records, exempt records under Florida's Public Records Act, or other records unavailable to MDHA under state and federal laws.

Dependent

A member of the family (excluding foster children, foster adults, or live-in aides), other than the family head or spouse, who is under eighteen (18) years of age, or is a person with disabilities, or is a Full-time student.

Desegregative Housing Offer

An offer of a unit that is vacant, appropriate for the household size and type, and meets applicable housing quality standards in a development where not more than 65 percent of the population is the same race as the household.

Disabled Family

A family whose head, spouse, or sole member is a person with disabilities; or two (2) or more persons with disabilities living together; or one (1) or more persons with disabilities living with one or more live-in aides.

Disability Assistance Expenses

Reasonable expenses that are anticipated, during the period for which Annual Income is computed, for attendant care and auxiliary apparatus for a Disabled Family member and that are necessary to enable the disabled member to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

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Displaced Family

Includes persons who can document that they have been displaced by a natural disaster declared by the President of the United States, displaced through no fault of their own, by governmental action, or displaced by domestic violence.

Drug-related Criminal Activity

Illegal manufacture, sale, distribution, or use of a drug, or possession of a drug, with the intent to manufacture, sell, distribute or use the drug pursuant to Florida State law.

Elderly Family

A family whose head, spouse, or sole member is a person who is at least sixty-two (62) years of age; or two or more persons who are at least sixty-two (62) years of age living together; or one or more persons who are at least sixty-two (62) years of age living with one or more live-in aides.

Elderly Person

A person sixty-two (62) years of age or older.

Fair Housing Center

An establishment acting as a mobility counselor and an information clearinghouse for mobility pool members and applicants who are seeking desegregative housing opportunities in public and assisted housing.

Family

Family includes but is not limited to:

- A family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size);
- An elderly family;
- A near-elderly family;
- A disabled family;
- The remaining member of a tenant family;
- A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family;
- A single person or a group of persons who reside together; and who are related by blood or marriage, or who exhibit a stable familial relationship. MDHA will accept documentation showing that adult, unrelated, unmarried family members have resided together for at least one year as evidence of a stable family relationship.

Family Income

Family Income means the Annual Income derived from all sources of the family members expected to reside in the dwelling unit and upon which rent is to be based.

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Fraud

Deceit or trickery deliberately practiced to gain some advantage dishonestly. Fraud is an intentional deception and is not committed accidentally.

Full-Time Student

A person registered for and carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.

Geographic zones

The areas of Miami-Dade County which may be divided with USHUD approval for purposes of making offers of, and referrals for, project-based assistance.

Good Cause

As used in the Adker Consent Decree with respect to refusal of a housing offer, 'good cause' shall mean that an applicant who is offered a unit can demonstrate through objective evidence that a move into the unit offered would result in a hardship related to the ability of the applicant or a member of the applicant's family to retain his or her employment or retain particular day care or medical services uniquely suited to the affected individual's needs. In addition, a hardship may relate to the person's inability to conveniently use the facility because of his or her disability and a lack of the necessary accessibility features.

Group Moves

Moves of multiple families arranged by the Housing Center and MDHA in promoting desegregative housing.

Head of Household

The family member who is 18 years or older and held responsible and accountable for the family, normally considered to be the official tenant of record or the lease.

Income Limits

Income limits are those published by USHUD for admission of very-low income families.

Live-in Aide

A person eighteen (18) years of age or older who resides with one (1) or more elderly persons, or near elderly persons, or persons with disabilities who:

- Is determined to be essential to the care and well-being of the persons;
- Is not obligated for the support of the persons; and
- Would not be living in the unit except to provide the necessary supportive services.

The live-in aide's income is not counted when determining family income.

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Lower Income Family

A family whose Annual Income does not exceed eighty percent (80%) of the median family Income for the area, as determined by USHUD with adjustments for smaller and larger families.

Mobility Pool

Class members of the Adker Consent Decree who meet all of the following criteria:

1. (a) A former or current official tenant of record in a MDHA public housing unit who signed a lease on or before June 4, 1998; or

 (b) A current or future official tenant of record who is 18 years or older and head of household of a MDHA public housing unit, and who signs a lease after June 4, 1998 but prior to the expiration of the Adker Consent Decree;
2. Is currently eligible for federally-assisted housing; and
3. Has not opted out of participation in the mobility pool and who is eligible pursuant to the regulation at 24 CFR 982.552

Near-Elderly Family

A family whose head of household, spouse or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons, who are at least 50 years of age but below the age of 62, living with one or more live-in aides.

Non-Black

All individuals who are not 'Black' as previously defined including, but not limited to, Caucasians and Caucasians of Hispanic ethnicity, American Indians, and Asians.

Offer

The term 'offer' is used in the context of project-based assistance and means an offer of a unit that is vacant, appropriate for the household in size and type, and meets applicable housing quality standards.

Persons with Disabilities

Under federal discrimination law, an individual is disabled if he/she has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such impairment. This definition does not include any individual who is a drug addict and is currently using illegal drugs, or an alcoholic, who poses a

Direct threat to the health, safety, and right to peaceful enjoyment of the premises by other residents.

Reasonable Accommodation

A reasonable accommodation is a change, modification, alteration, or adaptation in a policy, procedure, practice, program facility or unit that provides a person with a disability the opportunity to participate in, or benefit from, a program (housing or non-housing), service or activity.

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Reexamination/Recertification Date

The date on which any rent change is effective as required by the annual re-examination of eligibility for continued occupancy.

Single Person

A person living alone and who does not qualify as an Elderly Family, Disabled Family, Displaced Person, or as the remaining member of a tenant family.

Tenant Error

Occurs when the tenant by action or by inaction breaches a lease, regulation or other program requirement because of a misunderstanding of rules. Tenant errors are considered unintentional program violations, as compared to fraud (see definition).

Uniform Federal Accessibility Standards

A dwelling unit that is designed, constructed, altered or adapted to comply with Uniform Federal Accessibility Standards (UFAS) and is located in accessible route.

Units with Accessible Features

A unit which has been altered in a manner that has some accessible features that assist persons with disabilities.

Unrestricted Tenant-Based Benefits

Tenant-based subsidies that have not been designated by USHUD or Congress for use only for certain programs, such as:

- Veterans Assisted Supportive Housing (VASH);
- HOPE for Elderly Independence;
- HOPE VI;
- Family Unification Program (FUP);
- Welfare to Work Program;
- Continued assistance for previously assisted families;
- Any other award that USHUD sets aside for particular uses.

Very Low Income Family

A family whose Annual Income does not exceed fifty percent (50%) of the median family income for the area, as determined by USHUD, with adjustments for smaller and larger families.

Violent Criminal Activity

Any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage pursuant to Florida State law.

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Waiting List

The list of applicants who are waiting to be verified eligible for admittance to housing programs administered by MDHA and offered the benefit as it becomes available.